

MINUTES OF THE MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
GILPIN COUNTY, COLORADO

July 7, 2020

A special meeting of the Board of County Commissioners of Gilpin County was held on July 7, 2020, in an online format; no physical meeting was held. Chair Gail Watson called the meeting to order at 9:00 a.m. In attendance were Chair Watson, Commissioner Linda Isenhardt, Commissioner Ron Engels, County Manager Abel Montoya, County Attorney Bradford Benning, and Deputy Clerk to the Board Sharon Cate.

Agenda Review. Consideration of the June 30, 2020, meeting minutes was removed from the agenda.

Public / Press Comment. Laura Jenéy, County resident and Chair of the Gilpin County Planning Commission, referred to an item to be heard by the Board later today, SBE #19-02, 432 N. County Road, and spoke about inaccuracies of the Corona Heights GIS map on the County's website. She said that it appears that the Corona Heights subdivision has been expanded and asked if the County Zoning Regulations were correct. Commissioner Watson said that the Board will follow up with the Community Development Department to see if there have been any new actions in Corona Heights.

A person identified on the Zoom online forum as Jessica, said that safety and well-being are mentioned in the Board's Mission Statement, that the Sheriff's Office is being partially supported by grants, but the requested budget cuts will result in 12.5 deputy positions being eliminated. Commissioner Isenhardt said that the Board has always supported the Sheriff's Office, but that the office has some open positions and they will be required to do more with less. Jessica said that this is already a hard time and leaves deputies vulnerable and it will decrease safety services, training and equipment, and that this is totally unacceptable.

COVID-19 Update.

Emergency Manager Nathan Whittington:

- The Emergency Operations Center continues to support the County, lately by finding volunteers to deliver seniors' Meals on Wheels. The Gilpin County Animal Response Team (GCART) will make these deliveries in a short-term plan.
- Personal protective equipment is being provided to staff working inside County facilities.
- Emergency Manager Whittington is working with local municipalities on the FEMA Public Assistance funding, with the assistance of designated FEMA employee.
- Gilpin County asked to be a pilot county in writing its Emergency Preparedness Assessment. A State workshop will be held for local emergency response agencies, with the State providing questions to be included in the Assessment; the State will also write the report. This will give Gilpin County a preparedness assessment free of charge, that will be reviewed by the Local Emergency Preparedness Committee (policy group) for the final Assessment. The project will start in early August.

Commissioner Isenhardt thanked Emergency Manager Nathan Whittington for good communications during the COVID-19 crises, and she thanked Public Health Coordinator Bonnie Albrecht for her good work as well.

Public Health Coordinator Bonnie Albrecht:

- Gilpin County has eight confirmed cases of COVID-19 as of July 5; twelve tests have been scheduled for this week. None of the test results generated so far have increased the local count; the tests with positive results were performed outside the County. If a person feels symptomatic, they can be tested on Tuesdays locally, otherwise they should call their doctor.
- Coordinator Albrecht continues to work with casinos on public health requirements and has not received any complaints since last week.

Discussion of Workforce Reduction. Sheriff Kevin Armstrong read a statement regarding the County's workforce reduction, which he said was based in part on input from town hall online forums and many emails. After reading the statement, he thanked the Board for today's discussion of these cuts, saying the Board has always been supportive of Sheriff's Office. Commissioner Watson noted that of the 79 employees laid off last week, none were in the Sheriff's Office, as the County waits for information on a grant application to backfill COVID-19 related expenses. She mentioned other departments that are involved in public safety and said a communal effort and collaboration would be needed at this time. The Board has had to focus on funding statutorily required offices and services; Parks and Recreation was closed completely, as that department is not required. Commissioner Watson also asked if the list of salaries could be posted on the County's website to ensure transparency. Commissioners Isenhardt and Engels agreed that the information should be posted. Sheriff Armstrong said he and the Board would continue to work together.

Human Services Contract for Health Care Policy and Financing. Human Services Director Laura Solomon presented an annual contract with the Colorado Department of Health Care Policy and Financing, that also provides incentive payments up to \$6,072.29 to the County for timely determinations on cases. She noted she had received a grant to pay a half-time employee to help the County meet the initiatives for the incentive funds.

Commissioner Engels moved to approve the contract with the Colorado Department of Health Care Policy and Financing. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Colorado Communities for Climate Action (CC4CA). Commissioner Watson stated that the Gilpin County Commissioners are members of Colorado Communities for Climate Action (CC4CA), and have received a request from that group to ratify their acceptance of the organization's annual Policy Statement. Commissioner Engels moved to ratify Gilpin County's acceptance of CC4CA's Policy Statement. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

SBE #19-02, 432 N. County Road. Community Development Director Stephen Strohming shared his computer screen for the online meeting and explained some changes to the GIS maps on the Gilpin County website that resulted in concern from some Corona Heights Subdivision residents. He then gave an overview of the application filed by Florian Freymuth for a senate bill 35 exemption, SBE #19-02, that would involve transfer of development rights (TDR) Minor Subdivision. He recommended approval of the application, saying it was in compliance with the Zoning Regulations and provides deed restriction on a parcel on Highway 72.

Discussion followed, then Kim Lord, legal counsel to applicant Florian Freymuth, cited a chronological list of the events that led up to today's application. She noted that although Mr. Freymuth had filed a similar application last year, it was handled incorrectly as a variance request by former County staff, and it was now being presented in the correct format of a senate bill 35 exemption request with a TDR. She concluded her comments by saying that the application fits exactly into the County codes and should be approved. Attorney Kim Lord also stated that on February 20, 2020, she sent a letter to Community Development Director Strohming outlining the problem and the basis for a reimbursement of some fees, and she asked that this letter and another sent on June 3, 2020, be part of the official record of the Board's meeting today.

After further discussion with Community Development Director Strohming, Commissioner Engels moved to recess to Executive Session to receive legal advice under C.R.S. Section 24-6-402(4)(b) for a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0. The Board was in Executive Session from 10:13 a.m. to 10:44 a.m.

Upon resuming the public meeting, Commissioner Watson said the application is very confusing and includes a significant amount of new information. Commissioner Engels moved to continue their consideration of application SBE #19-02 to July 21, 2020. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Legal Status Report. County Attorney Bradford Benning updated the Commissioners on the following legal issues:

- Zoning complaints are being processed.
- Clerk and Recorder Sahari McCormick has requested that she be able to expand her office's current operations, which can be set for a future discussion with the Board.
- Work on a possible Recreation District continues.
- There are fiscal safety legislative matters for the Board to consider.

County Manager Status Report. County Manager Abel Montoya updated the Board of County Commissioners on the following items:

Contract Changes. Four employee contracts need to be updated to reflect the vacation hours accrual policy, which states that any accrued vacation hours over 208 will be forfeited after December 31 annually. The contracts are for the Human Resources and Human Services directors, County Attorney Bradford Benning and County Manager Montoya. Commissioner Engels moved to approve the proposed contract changes and to authorize Chair Watson to sign the contracts. Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0.

Community Center Use. There is an online public meeting on July 9 at 6:00 p.m. to discuss ideas on how to reopen the Community Center. Also, some students of the clay studio have asked about using the kiln one time to fire some projects that had started prior to the closing of the facility. The Board agreed to have County Manager Montoya coordinate the firing. He noted that the Community Center will be open a few hours on certain days, to allow patrons to pick up their personal belongings that were in lockers; the hours are listed on the website.

Code Enforcement Tracking Tool. At the Board's July 14 meeting, Business Analyst Jaime Tirado will demonstrate a software application that tracks Zoning Code enforcement cases.

Updates on Community Development Department and Clerk and Recorder's Request to Expand Services. Clerk and Recorder Sahari McCormick's request to expand services in her office, can be accommodated by installing a temporary barrier; she also would like to allow appointment scheduling by telephone. The Community Development Department is waiting for more Plexiglas to be installed, but one employee has been able to do some code enforcement work in the office once or twice per week, and the remainder from home. Community Development Director Strohming said he and his staff work with the public via Zoom meetings,

email, phone calls and interaction through the online software; building inspections have been ongoing through the inspection hotline.

Board of County Commissioners Status Reports.

Notice of Public Meetings. The Board's upcoming public meetings will include July 14, 21 and 28. A work session is scheduled for July 9 to discuss fire restrictions with Sheriff Armstrong and Emergency Manager Nathan Whittington, and to discuss possible use of the Exhibit Building and arena by the Gilpin County Animal Response Team (GCART).

Public / Press Comment. Resident Jane Sterling said she thought payments for Community Center membership reimbursements were to be completed by June 30, and asked if that had been done. County Manager Montoya said the Parks and Recreation staff had processed hundreds of refunds with only one discrepancy, which is being taken care of and a check will be sent to Ms. Sterling. Some older claims are still being processed, but if the payments are not received within the next couple of weeks, he will work with anyone needing his help.

Adjourn to Executive Session. Commissioner Engels moved to adjourn to Executive Session as follows:

- For a conference with the County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b)
- For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e)
- For discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f)(I)&(II) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees

Commissioner Isenhart seconded the motion, which passed by a vote of 3 to 0. There being no further business to come before the Board, they adjourned at 11:16 a.m.

Signed this 14th day of July 2020.